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MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450, on the date shown below.

Dated: December 23, 2004

Signature:

*Marian L. Christopher*  
(Marian L. Christopher)

Docket No.: 524092000310  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Babu V. BASSA

Application No.: 10/702,301

Confirmation No.: 7982

Filed: November 5, 2003

Art Unit: 1654

For: NEW ANTITUMOR AGENT

Examiner: M. Flood

### RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed December 16, 2004 (Paper No. 1204), Applicant brings the following information to the attention of the Examiner::

On November 5, 2003, at the time of filing the Application herein, Applicant included a Preliminary Amendment, copy of which is enclosed, which canceled claims 1-5 and added claims 6, 7 and 8. Also attached hereto is a copy of the return receipt postcard reflecting receipt of the Preliminary Amendment by the U.S. Patent and Trademark Office.

Applicant requests that the Restriction requirement dated December 16, 2004, be withdrawn and the new claims examined.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no 524092000310. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 22, 2004

Respectfully submitted,

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